IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2648 OF 2005

Shri Babubhai @ Ratilal Jivandas
Madlani & Ors. ...Petitioners

Versus

M/s.Nathmal Murarka & Anr. ...Respondents

.....

Mr.M.A.Desai for Petitioners.

Ms.M.M.Deshmukh, A.P.P. for Respondent No.2.

.....

CORAM: A.M.KHANWILKAR, J.

NOVEMBER 30, 2005.

P.C.

1. As alternative efficacious remedy is available to the Applicants by way of revision in view of the decision of this Court in the case of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778**, this Petition is allowed to be withdrawan with liberty to the Petitioners to move the Sessions Court by way of Revision. That be done within four weeks from today. All

questions are left open.

2. Till such time, no precipitative action be taken against the Applicants. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

3. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Applicants had first approached this Court, which period may be excused in computing delay.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.